



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

EC-2002-030
II A 095

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

CERTIFIED MAIL # 377 508 187
RETURN RECEIPT REQUESTED

January 19, 1999

Ms. Janice McLean
Attorney, Law Department
Amoco Corporation
Mail Code 2103
200 East Randolph Drive
Chicago, IL 60601-7125

Re: Notice of Violations: File No. AED/MSEB - 4853

Dear Ms. McLean,

On November 10, 1997, Amoco Corporation ("Amoco") provided written notification to the U.S. Environmental Protection Agency ("EPA") of the existence of violations of the gasoline detergent additization regulations, 40 C.F.R. Part 80, Subpart G (the "detergent regulations"). The reported violations, which occurred in July, August, September, and October 1997, involved Amoco gasoline that was detergent additized and transferred from Amoco gasoline terminals at the following locations: Spring Valley, MN; Burley, ID; Salt Lake City, UT; Cedar Rapids, IA; Mandan, ND; Sauk Centre, MN; Moorehead, MN; Dubuque, IA; Jamestown, ND; Ottumwa, IA; Twin Cities, MN; Boise, ID; Des Moines, IA; and Sioux Falls, SD. Amoco provided supplemental information about these violations in further correspondence to the EPA in January, 1998.

The detergent regulations provide that no person may blend detergent into gasoline unless the volumetric additive reconciliation ("VAR") requirements of the detergent program found in § 80.170 are complied with. (40 C.F.R. § 80.168(b).) The Clean Air Act at 42 U.S.C. § 7524 and the detergent regulations at 40 C.F.R. § 80.172 subject violators of these laws to a maximum civil penalty of \$27,500 per day for each violation occurring after January 30, 1997, plus the amount of the economic benefit or savings resulting from each violation. The detergent regulations further specify that any violation of the VAR compliance standard shall constitute a separate day of violation for each and every day of the VAR compliance period in which the standard was violated. (40 C.F.R. § 80.172(g).)

Upon analysis of the information provided by Amoco about the reported detergent program violations, EPA has determined that in 1997, Amoco additized gasoline that did not comply with detergent program VAR requirements found in § 80.170 in violation of 40 C.F.R. § 80.168(b), in that the additization equipment's concentration rate was set beneath the legal

minimum, and the compliance standard was not attained, both violations occurring during forty-six (46) monthly compliance periods at the above-listed terminals. (See enclosure.) The above constitutes ninety-two (92) violations of 40 C.F.R. § 80.168(b).

As the person that owns, leases, operates, controls or supervises the blending operation of the detergent blending facility where the above violations occurred, Amoco is liable for these ninety-two (92) violations of 40 C.F.R. § 80.168(b) pursuant to 40 C.F.R. § 80.169(a)(4).

Sections 211 and 205 of the Clean Air Act, 42 U.S.C. §§ 7545 and 7524, authorize the Administrator of EPA to assess a civil penalty of up to \$27,500 for every day of such violation, plus the economic benefit or savings resulting from the violations. Rather than initiating litigation, we propose a civil penalty for the violations alleged in this Notice of Violations of ninety-seven thousand dollars (\$97,000).

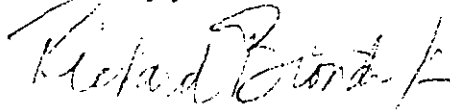
EPA encourages settlement of such matters. The settlement process provides flexibility for reducing the proposed penalty, particularly if the alleged violations have been corrected promptly and steps have been taken to ensure future compliance. If we cannot settle this matter promptly, we reserve the right to file an administrative complaint or refer this matter to the U.S. Department of Justice with a recommendation to file a civil complaint in federal district court.

The EPA attorney designated below has been assigned to this case. Please contact her regarding this Notice of Violations.

Judy Lubow, Attorney
U.S. Environmental Protection Agency
Mobile Source Enforcement Branch
Air Enforcement Division
12345 W. Alameda Parkway
Suite 214
Denver, CO 80228
Phone Number: (303) 969-6483

Let me once again emphasize that while we take our obligation to enforce these regulations seriously, we will make every effort to reach an equitable settlement in this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Bruce C. Buckheit", with a stylized flourish at the end.

Bruce C. Buckheit, Director
Air Enforcement Division

Enclosure

ENCLOSURE

Amoco Terminal

1997 Months in Violation

-Spring Valley, MN	July, August, September, October
-Burley, ID	July, August, October
-Salt Lake City, UT	August, September, October
-Cedar Rapids, IA	August
-Mandan, ND	July, August, September, October
-Sauk Centre, MN	July, August
-Moorehead, MN	July, September, October
-Dubuque, IA	July, August, September, October
-Jamestown, ND	July, August, September, October
-Ottumwa, IA	July, September, October
-Twin Cities, MN	July, August, September, October
-Boise, ID	July, August, October
-Des Moines, IA	July, August, September, October
-Sioux Falls, SD	July, August, September, October